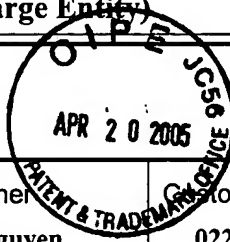


**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Large Entity)**

Docket No.  
15436.437.5

In Re Application Of: **Werner, et al.**



Application No. <b>10/028,439</b>	Filing Date <b>December 28, 2001</b>	Examiner <b>Dung T. Nguyen</b>	Customer No. <b>022913</b>	Group Art Unit <b>2828</b>	Confirmation No. <b>4439</b>
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Invention: **INTEGRAL VERTICAL CAVITY SURFACE EMITTING LASER AND POWER MONITOR**

**COMMISSIONER FOR PATENTS:**

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of **November 3, 2004** in the above-identified application.  
*Date*

The requested extension is as follows (check time period desired):

☐ One month    ☐ Two months    ☒ Three months    ☐ Four months    ☐ Five months

from: **February 3, 2005**    until: **May 3, 2005**  
*Date*    *Date*

The fee for the amendment and extension of time has been calculated as shown below:

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	25 -	24 =	1	x \$50.00	\$50.00
INDEP. CLAIMS	5 -	4 =	1	x \$200.00	\$200.00
FEE FOR AMENDMENT					\$250.00
FEE FOR EXTENSION OF TIME					\$1,020.00
<b>TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME</b>					<b>\$1,270.00</b>

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COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Large Entity)

Docket No.  
15436.437.5



The fee for the amendment and extension of time is to be paid as follows:

- ☐ A check in the amount of \_\_\_\_\_ for the amendment and extension of time is enclosed.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 23-3178
- ☒ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

*Signature*

Peter F. Malen, Jr.  
Attorney for Applicants  
Reg. No. 45,576  
Telephone No. 801-533-9800

Dated: April 20, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Werner, et al.

Docket No.

15436.437.5

Serial No.

10/028,439

Filing Date

December 28, 2001

Examiner

Dung T. Nguyen

Group Art Unit

2828

Invention:

INTEGRAL VERTICAL CAVITY SURFACE EMITTING LASER AND POWER MONITOR

APR 20 2005

I hereby certify that the following correspondence:

Amendment and Response to Office Action (10 pgs); Combined Amendment &amp; Petition for Extension of Time Under 37 CFR 1.136(a) (2 pgs in duplicate); Credit Card Payment form and Postcard

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

April 20, 2005  
(Date)

Gina Meredith

*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*

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